



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING SENT VIA FIRST CLASS TO: MAIL STOP MISSING PARTS, COMMISSIONER OF PATENTS AND TRADEMARKS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON November 4, 2003 Sent by: Judy Paolillo.

Judy Paolillo 11/4/03
Signature & Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In re application of: Xiangdong Chen, et al.	Date: November 4, 2003
Serial Number: 10/622,477	Examiner: To be Assigned
Filed: 7/18/03	Group Art Unit: To be Assigned
Title: VERTICAL MOSFET WITH DUAL WORK FUNCTION MATERIALS	IBM Corporation D/18G, B/300, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

**PETITION UNDER 37 CFR 1.182 AND
MPEP § 1002.02(b)**

**PETITION TO WITHDRAW THE NOTICE OF OMITTED ITEMS IN A NON-PROVISIONAL
APPLICATION**

Assistant Commissioner of Patents
Alexandria, Virginia 22313-1450

Sir:

Applicants hereby petition to withdraw the Notice of Omitted Item(s) for the above-identified application mailed on October 22, 2003, indicating that Applicants purportedly omitted from the application the following item:

Figure 1 as described in the specification.

Applicants contend that the missing item was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the non-provisional application papers.


In view of the foregoing, Applicants hereby supply a copy of Figure 1 (PRIOR ART) which appears to be missing, together with a copy of the present Notice and the the required petition fee in accordance with 37 CFR 1,17(h).

Further, Applicants submit as evidence that the missing item was indeed filed with the application a copy of the return card duly stamped by the PTO wherein a total of 13 pages of drawings are listed, and not 12 as stated by a representative of customer Service. Application further submit a complete copy of the application as filed, which includes Figure 1.

The petition fee that is currently due may be charged to Deposit Account 09-0458. It is understood that the Petition fee will be refunded if it is determined that the missing item was received by the PTO.

Prompt granting of the above petition is earnestly solicited.

Respectfully submitted,
Xiangdong Chen, et al.

By: 
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